

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

C.A.NO.1129 OF 2007 IN F.A.ST.NO.3543 OF 2007

OFFICE NOTES, OFFICE
MEMORANDUM OF CORAM,
APPEARANCES, COURT'S
ORDERS OR DIRECTIONS
AND REGISTRAR'S ORDERS.

COURT'S OR JUDGES ORDERS

Mr. Prashant Chavan i/by Navdeep Vora &
Associates for the Applicant.

Mr.R.R.Salvi for the Respondent No. 1.

Ms.Usha Kejriwal, AGP. for the Respondent
Nos.2&3.

CORAM : A.S.OKA, J.
DATE : SEPTEMBER 12, 2007.

P.C.

1. Heard learned counsel appearing for the parties. This is an application for condonation of delay. In view of the averments made in the application for condonation of delay, sufficient cause is made out. Rule is made absolute in terms of prayer clause (a).

(A.S. OKA, J.)

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Mr. Prashant Chavan i/by Navdeep Vora and
Associates for the Applicant.

Mr.R.R.Salvi for the Respondent No.1.

Ms. Usha Kejriwal, AGP. for the Respondent
Nos.2&3.

CORAM : A.S.OKA, J.
DATE : SEPTEMBER 12, 2007.

P.C.

1. Admit. Printing is dispensed with.

2. Time of eight weeks is granted to remove all
office objections. If all the office objections
are not removed within the stipulated time, the
Appeal will stand dismissed for want of
prosecution without further reference to the
Court.

3. Private paperbook along with Decree Form shall
be filed by the Appellant within a period of one
year from today. If compliance is not made within
stipulated time, the Appeal shall stand dismissed
for want of prosecution without further reference
to the Court.

(A.S. OKA, J.)

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

C.A.NO.1130 OF 2007 IN F.A.ST.NO.3543 OF 2007

OFFICE NOTES, OFFICE
MEMORANDUM OF CORAM,
APPEARANCES, COURT'S
ORDERS OR DIRECTIONS
AND REGISTRAR'S ORDERS.

COURT'S OR JUDGES ORDERS

Mr. Prashant Chavan i/by Navdeep Vora &
Associates for the Applicant.

Mr. R.R.Salvi for the Respondent No.1.

Ms.Usha Kejriwal,AGP. for the Respondent Nos.2&3.

CORAM : A.S. OKA, J.
DATE : SEPTEMBER 12, 2007.

P.C.

1. Heard learned counsel appearing for the parties. It is not in dispute that the applicant has complied with ad interim order dated 23rd February, 2007 by depositing the requisite amount in the Trial Court. In view of the deposit of the amount, ad interim relief granted earlier deserves to be confirmed.

2. Considering the nature of the impugned Judgment and Award, the original claimants will have to be permitted to withdraw the amount deposited by the applicant subject to furnishing security to the satisfaction of the Trial Court.

3. Hence, Civil Application is disposed of by passing the following order.

ORDER

a) Rule is made absolute in terms of prayer clause (a).

b) It will be open for the claimants to withdraw the amount deposited by the applicant subject to furnishing adequate security to the satisfaction of the Trial Court. If such application is made for withdrawal, the Trial Court will hear the applicant before accepting the security.

c) If the amount deposited by the applicant is not withdrawn by the original claimants by furnishing security within a period of five months from today, the Trial Court will invest the said amount in fixed deposit in any Nationalised bank and the fixed deposit shall be renewed from time to time till the disposal of the appeal.

d) There will be no order as to costs.

e) Parties to act on a copy of this order duly authenticated by the registry of this court.

(A.S. OKA, J.)